

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, January 25, 2023, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, January 20, 2023, at 4:43 P.M.

An addendum was posted on Tuesday, January 24, 2023, at 9:47 A.M.

CALL TO ORDER

Chair Patrick called the meeting to order at 5:08 P.M.

ROLL CALL:

Hall-Harper	Present	Bengel	Present
Cue	Present	Decter Wright	Present
Patrick	Present	Lakin	Present
Bellis	Present	Fowler	Present
Miller	Present		
	Present:	9	
	Absent:	0	

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Chris Baughman, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Special Meeting held at 2:00 PM on January 4, 2023. [CC 1/25/23]
23-41-1

Public Comments:
John Huffines – 1.a.

Councilor Lakin moved to approve 1.a. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

2. APPOINTMENTS & REAPPOINTMENTS

- a. No items this week.

3. PUBLIC HEARINGS

- a. Public Hearing to receive comments from citizens regarding the proposed closing of a Public Way, closing a portion of a twenty-five (25) foot roadway easement that was dedicated to Osage County (the tract of land has since been abandoned by Osage County and annexed to the City of Tulsa), located at 575 N. 39th W.

Ave., to accommodate new development in the area, requested by Jason Potter with Wallace Design Collective. (CD-1) (Public Hearing: 1/25/23) [PW 1/25/23; CC 1/25/23; CC 2/1/23] 23-37-3

Councilor Lakin moved to enter Public Hearing on 3.a. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

Council entered Public Hearing on 3.a at 5:11 P.M.

There were no speakers.

Without objection, Council exited Public Hearing on 3.a at 5:11 P.M.

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

- b. Consideration and possible approval, adoption, denial, amendment, or revision of a Resolution requesting that the Indian Nations Council of Governments (INCOG) program the River Parks Trail from 103rd St. S. to 110th St. S. as a project into the Transportation Alternatives Program for the Tulsa Transportation Management Area, requesting that the Oklahoma Transportation Commission concur in the programming. (CD-2) **(Emergency Clause)** [PW 1/11/23; CC 1/25/23] 23-3-2
- c. Consideration and possible approval, adoption, denial, amendment, or revision of a Resolution requesting that the Indian Nations Council of Governments (INCOG) program the River Parks Trail from 110th St. S. to 116th St. S. as a project into the Transportation Alternatives Program for the Tulsa Transportation Management Area, requesting that the Oklahoma Transportation Commission concur in the programming. (CD-8) **(Emergency Clause)** [PW 1/11/23; CC 1/25/23] 23-4-2
- d. Consideration and possible approval, adoption, denial, amendment, or revision of a Resolution requesting that the Indian Nations Council of Governments (INCOG) program the River Parks Trail from 116th St. S. to Cousins Park as a project into the Transportation Alternatives Program for the Tulsa Transportation Management Area, requesting that the Oklahoma Transportation Commission concur in the programming. (CD-8) **(Emergency Clause)** [PW 1/11/23; CC 1/25/23] 23-5-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Frank A. and Lisa C. Files, for property located at 1824 E. 31st Pl. S. for a colored concrete driveway approach. (CD-9) [PW 1/11/23; CC 1/25/23] 23-6-2

- f.

Consideration and possible approval, adoption, denial, amendment or revision of a Sanitary Sewer Easement Donation by Greenhill Properties, LLC of property located at 4816 N. 118 E. Ave., Parcel 406, Unplatted, for the Greenhill Sanitary Sewer Project. (CD-3) [CC 1/25/23] 23-21-1
- g.

Consideration and possible approval, adoption, denial, amendment or revision of a Sanitary Sewer Easement Donation by Owasso Land Trust, LLC of property located at 11920 E. 46th St. N., Parcel 391, Unplatted, for the Greenhill Sanitary Sewer Project. (CD-3) [CC 1/25/23] 23-22-1
- h.

Consideration and possible approval, adoption, denial, amendment or revision of a Sanitary Sewer Easement Donation by Garstenberg Family, LLC of property located at 6510 N. Peoria Ave., Parcel 21-2018, North Turley Addition, for the DG Turley Project. (Outside City Limits) [CC 1/25/23] 23-23-1
- i.

Consideration and possible approval, adoption, denial, amendment or revision of a Sanitary Sewer Easement Donation by Borger Growth, LLC of property located at 13737 E. 14th St., Unplatted, for the Barraza Residence Project. (CD-6) [CC 1/25/23] 23-24-1
- j.

Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: BOK Center February 2023 Events scheduled for February 2-28, 2023, at 200 S. Denver Ave. (CD-1,4) [CC 1/25/23] 23-28-1
- k.

Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Sweetheart Run scheduled for February 11, 2023, starting at 418 E. 2nd St. (CD-1,4) [CC 1/25/23] 23-29-1

Public Comments:
John Huffines – 4.j.

Councilor Lakin moved to approve 4.b – 4.k with the emergency clause on 4.b – 4.d. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

- a.

Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7682 from IL to CH for property located north and west of the NW/c of E. Pine St. and N. Memorial Dr. requested by Lou Reynolds. (Property owner: Redstone One, LLC) (CD-3) (TMAPC voted 7-0-0 to recommend **APPROVAL** of CH zoning.) [UED 12/14/22; PW 1/11/23; CC 1/25/23; CC 2/1/23] 22-1129-2
- b.

Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7683 from RM-2 to RM-3 with an Optional Development Plan for property located northeast of the NE/c of S. 145th E. Ave. and E. 41st St. S. requested by Tanner Consulting, LLC. (Property owner: 151 Bixby, LLC) (CD-6) (TMAPC voted 7-0-0 to recommend **APPROVAL** of RM-3 zoning with an Optional Development Plan.) [UED 12/14/22; PW 1/11/23; CC 1/25/23; CC 2/1/23] 22-1130-2

- c.

Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application PUD-828-A abandoning a portion of PUD-828 for property located south of the SW/c of E. 121st St. and S. Sheridan Rd. requested by Eric Enyart. (Property owner: Stone Horse Development, LLC) (CD-8) (TMAPC voted 10-0-0 to recommend **APPROVAL** of abandoning a portion of PUD-828.) [PW 1/11/23; CC 1/25/23; CC 2/1/23] 23-9-2
- d.

Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application PUD-357-C amending PUD-357 for property located south of the SE/c of E. 71st St. S. and S. Quincy Ave. requested by Mike Thedford. (Property owner: Jordan Properties, LLC) (CD-2) (TMAPC voted 10-0-0 to recommend **APPROVAL** of PUD-357-C.) [PW 1/11/23; CC 1/25/23; CC 2/1/23] 23-10-2
- e.

Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7668 from RM-1 to CS for property located south of the SE/c of E. 71st St. S. and S. Quincy Ave. requested by Mike Thedford. (Property owner: Jordan Properties, LLC) (CD-2) (TMAPC voted 10-0-0 to recommend **APPROVAL** of CS zoning.) [PW 1/11/23; CC 1/25/23; CC 2/1/23] 23-11-2

Councilor Lakin moved to approve 5.a – 5.e, with the exception of 5.c, which will be revisited later in the meeting. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

6. ORDINANCES - FIRST READING

- a.

Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of one thousand, three hundred dollars (\$1,300.00) from grant revenues to be received from the Best Friends Animal Society within the Social Eco Development Non-Federal Grant Programs SubFund. (Tulsa Animal Welfare Training Travel) [UED 1/25/23; CC 1/25/23; CC 2/1/23] 23-25-2
- b.

Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to transfer available appropriations of ninety-nine thousand, nine hundred ninety-seven dollars (\$99,997.00) between Departments and Account Groups within the General Fund. (Transfer from Tulsa Authority for Economic Development (TAEO) appropriations for a Small Business Enterprise Coordinator within the Mayor's Office of Economic Development) [UED 1/25/23; CC 1/25/23; CC 2/1/23] 23-39-2
- c.

Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Utility Easement, requested by Nathalie Cornett, Eller & Detrich, for property located at 2156 E. 48th Pl., located in Lot Eight (8), Block Three (3) of Bolewood Place, to clear a title. (CD-9) [PW 1/25/23; CC 1/25/23; CC 2/1/23] 23-20-2
- d.

Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Ordinance No. 24881, passed and adopted by the Council of the City of Tulsa on August 3, 2022, and approved by the Mayor on August 10,

2022, which contained a scrivener's error in the name of the AG-R (Agricultural-Residential) Zoning District. [UED 1/25/23; CC 1/25/23; CC 2/1/23] 23-26-2

- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Public Way, closing a portion of a twenty-five (25) foot roadway easement that was dedicated to Osage County (the tract of land has since been abandoned by Osage County and annexed to the City of Tulsa), located at 575 N. 39th W. Ave., to accommodate new development in the area, requested by Jason Potter with Wallace Design Collective. (CD-1) (Public Hearing: 1/25/23) [PW 1/25/23; CC 1/25/23; CC 2/1/23] 23-37-2
- f. **AMENDED LANGUAGE:** Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of six hundred three thousand, nine hundred fifty-eight dollars and fifty cents (\$603,958.50). Five hundred forty-nine thousand, fifty-three dollars and eighteen cents (\$549,053.18) from grant revenues to be received from the Federal Emergency Management Agency and a grant match of fifty-four thousand, nine hundred five dollars and thirty-two cents (\$54,905.32) transfer to be received from the Public Safety Tax Fund within the Fire Prevention and Safety SubFund and to transfer unencumbered and unexpended appropriation balances of fifty-four thousand, nine hundred five dollars and thirty-two cents (\$54,905.32) between Departments and Account groups within the Public Safety Tax Fund. (Grant to procure high-rise equipment and bunker gear) [UED 1/25/23; CC 1/25/23; CC 2/1/23]

Without objection, items 6.a – 6.f were forwarded to the next Council meeting.

7. ORDINANCES - SECOND READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7670 from RS-3 to CS with an Optional Development Plan for property located west of the NW/c of N. Harvard Ave. and E. 36th St. N. requested by Lou Reynolds. (Property owner: Helen P. Powell Revocable Trust) (CD-1) (TMAPC voted 7-0-0 to recommend **APPROVAL** of CS zoning with an Optional Development Plan.) [UED 12/14/22; CC 1/11/23; CC 1/25/23] 22-1126-3
- b. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7684 from RS-4 to RS-5 with an Optional Development Plan for property located northeast of the NE/c of S. 152nd E. Ave. and E. 41st St. S. requested by Tanner Consulting, LLC. (Property owner: RC Battle Creek, LLC) (CD-6) (TMAPC voted 7-0-0 to recommend **APPROVAL** of RS-5 zoning with an Optional Development Plan.) [UED 12/14/22; CC 1/11/23; CC 1/25/23] 22-1131-3
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to transfer unencumbered and unexpended appropriation balances of two hundred eighty-six thousand dollars (\$286,000.00) between projects within the TMUA Sewer Capital Projects SubFund. (Haikey Creek Lift Station Phase 4 Improvements) [PW 1/11/23; CC 1/11/23; CC 1/25/23] 23-7-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Tulsa Revised Ordinances, Title 11, titled "Public Works Department"; Chapter 12, titled "Rights-of-Way Occupancy Management"; by amending Subsection 1206A.3.a of Section 1206, titled "Occupancy Fees or Inspection Fee and Service Charge"; increasing the amount of occupancy fee to be charged to occupancy permit holders in order to recover each permit holder's pro rata share of the burden on the right-of-way; providing an effective date of February 1, 2023. (**Emergency Clause**) [PW 1/11/23; CC 1/11/23; CC 1/25/23] 22-1149-2

- e. Consideration and possible approval, adoption, denial, amendment, or revision of an ordinance amending Title 27, Tulsa Revised Ordinances, titled “Penal Code”, Chapter 3, titled “Offenses Against Public Justice” by adding a new Section 312, titled “Willfully Disturbing or Interfering with City Business, Operations, or Employees”; providing a penalty for violations of Section 312. **(Emergency Clause)** (Decter Wright) [PW 1/11/23; CC 1/11/23; CC 1/25/23] 23-2-2

Councilor Lakin moved to approve 7.a – 7.e with an amendment to 7.e, proposed Title 27, Section 312, Subsection “A”, changing the words “the presiding official” to “a presiding official”, with the emergency clause on 7.d and 7.e. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

8. COUNCIL ITEMS

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Decter Wright announced that she would be partnering with DVIS for a town hall on January 31, 2023, for National Stalking Awareness and Human Trafficking Prevention Month. Councilor Lakin announced that there would be a Planitulsa town hall meeting on February 2, 2023. Councilor Bengel announced that there would be a District 6 town hall on January 31, 2023. Councilor Fowler announced that there would be a Brookside neighborhood meeting on January 31, 2023. Councilor Patrick announced that there would be a Dawson Neighborhood Association meeting on January 31, 2023, and wished Councilor Cue and Councilor Bellis a happy birthday.

Public Comments:
John Huffines – 8.a.

5.c was voted on after 8.a.

5. AUTHORITIES, BOARDS & COMMISSIONS

- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application PUD-828-A abandoning a portion of PUD-828 for property located south of the SW/c of E. 121st St. and S. Sheridan Rd. requested by Eric Enyart. (Property owner: Stone Horse Development, LLC) (CD-8) (TMAPC voted 10-0-0 to recommend **APPROVAL** of abandoning a portion of PUD-828.) [PW 1/11/23; CC 1/25/23; CC 2/1/23] 23-9-2

Councilor Lakin moved to approve 5.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea

Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

8.b was read and voted on after 5.c.

8. **COUNCIL ITEMS**

- b. Consideration and possible approval, adoption, denial, amendment or revision of a request for waiver of administrative fees of three hundred dollars (\$300.00) for mowing and debris removal on property located at 4507 E. Admiral Blvd. (Patrick) [CC 1/25/23] 23-38-1

Kevin Cox from the Working in Neighborhoods Department addressed the Council.

The property owner addressed the Council.

There was Council discussion.

Councilor Miller moved to approve 8.b, waiving all administrative fees of six hundred dollars (\$600.00). Councilor Patrick seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

9. **NEW BUSINESS**

- a. No items this week.

10. **HEARING OF APPEALS**

- a. No items this week.

11. **HEARING OF PUBLIC COMMENTS**

- a. Aaron Griffith – Concerns regarding sidewalks, lighting, and signage on Lewis Ave. [CC 1/25/23] 23-43-1

Aaron Griffith was not present to address the Council.

12. **ADJOURNMENT**

- a. Adjournment.

Chair Patrick adjourned the meeting at 5:36 P.M.

Crista Patrick, Chair of the Council

Lori Doring, Secretary to the Council